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Honorable Michael A. Hammer  
United States District Court for the District of New Jersey  
Martin Luther King Jr. Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

Re: SYNTHO 6.0-001  
Case 2:17-cv-03387-ES-MAH  
*Celgene Corporation v. Hetero Labs Limited et al.*

Dear Judge Hammer:

We write on behalf of, Synthon B.V., Synthon Pharmaceuticals, Inc., Synthon S.R.O., and Alvogen Pine Brook, LLC (collectively, "Synthon") in response to the Court's July 29, 2019 Order (D.I. 409) regarding the parties' dispute over the production of the agreement between Synthon and Celgene Corp. that resolved Civil Action Nos. 18-10775 and 19-9737 (ES/MAH). D.I. 409.

The agreement includes provisions to keep the substance confidential. The confidentiality provisions were included at least in part to protect the terms from potential competitors of Synthon who would use that information to Synthon's detriment.

In this instance, Apotex and Synthon are potential competitors in the market for generic pomalidomide. Should Apotex obtain the agreement between Synthon and Celgene, Apotex would gain knowledge that would likely facilitate its ability to negotiate a settlement with Celgene that unfairly benefits Apotex at Synthon's expense. For this reason, Synthon opposes the production of its agreement with Celgene in this litigation.

Sincerely,

LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP

A handwritten signature in blue ink, appearing to be "A. Eckenthal", written over a faint, stylized blue line.

AARON S. ECKENTHAL

ASE/cmc

cc: Counsel of record via ECF